

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of

PUBLIC UTILITIES COMMISSION

Instituting a Proceeding To
Investigate the Implementation of Feed-in
Tariffs.

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DOCKET NO. 2008-0273

**COUNTY OF HAWAII'S MOTION FOR APPROVAL TO AMEND ITS STATUS AS AN
INTERVENOR TO A PARTICIPANT**

DECLARATION OF MICHAEL J. UDOVIC

and

CERTIFICATE OF SERVICE

FILED
2009 APR -8 P 1:14
PUBLIC UTILITIES
COMMISSION

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**COUNTY OF HAWAII'S MOTION FOR APPROVAL TO AMEND ITS STATUS AS AN
INTERVENOR TO A PARTICIPANT**

The Administration of the COUNTY OF HAWAII, a political subdivision of the State of Hawaii ("County"), by and through its attorneys, Corporation Counsel Lincoln S.T. Ashida, and Deputy Corporation Counsel Michael J. Udovic, hereby moves the Honorable Public Utilities Commission of the State of Hawaii (the "Commission") for approval to amend its current status as an intervenor to a participant in this proceeding ("Motion"). This Motion is made pursuant to Hawaii Administrative Rules ("HAR") §§ 6-61-41 and 6-61-56, and is supported by the Declaration of Michael J. Udovic attached hereto and incorporated herein by reference. Specifically, the County is requesting approval that its participation in this proceeding be hereinafter reduced to allow the County to: (1) monitor the proceeding by receiving the filings by the Commission and the other parties to ensure, among other things, that its interests and/or rights (financially or otherwise), as alleged in its November 13, 2008 Motion to Intervene, are adequately protected, and (2) file any permitted statement in accordance with the Stipulated Regulatory Schedule approved by the Commission in this proceeding.

Pursuant to HAR § 6-61-41(b), the County does not request a hearing on this Motion.

In support of its Motion, the County states as follows:

1. Brief Background and Reasons for Requested Relief

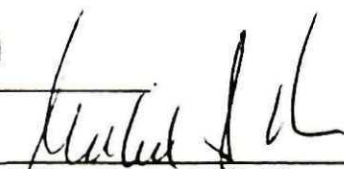
The County is involved in a variety of programs designed to produce energy primarily for the use of County owned facilities with any excess to be fed into the applicable electric grid. The County anticipated the advent of a significant facility which would generate electrical energy on the Island of Hawai'i, this facility did not pass County Council and will not be built as anticipated. Additional generating capacity is planned on a variety of County facilities which are not active at this time but will be actively producing electrical energy at some time in the future.

2. Conclusion and Summary of Relief Requested.

Based on the foregoing, the County respectfully requests that the Commission grant its Motion to amend its current status as an intervenor to be a participant in this proceeding, and allow the County to continue to participate in this proceeding by: (1) monitoring the proceeding by receiving the filings by the Commission and the other parties to ensure, among other things, that its interests and/or rights (financially or otherwise), as alleged in its November 13, 2008 Motion to Intervene, are adequately protected, and (2) allowing the County to file any permitted statement in accordance with the Stipulated Regulatory Schedule approved by the Commission in this proceeding.

DATED: Hilo, Hawai'i

APR 07 2009


MICHAEL J. UDOVIC
Attorney for COUNTY OF HAWAII

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OF THE STATE OF HAWAII

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DECLARATION OF MICHAEL J. UDOVIC

I, Michael J. Udovic do hereby declare:

1. That I am an attorney employed by the County of Hawai'i and am the attorney assigned to the within matter;
2. That I am familiar with the proceedings conducted in the within docket;
3. That I have discussed the contents of the within Motion with the Director and Deputy Director of the Department of Research and Development of the County of Hawai'i;
4. That the County's interests will be adequately protected by an amendment to participant status;
5. That the County will be permitted to monitor the proceedings and file permitted documents before the Public Utilities Commission as a participant rather than as an intervenor;
6. Wherefore, the County of Hawai'i request the Commission grants this change in status;
7. The County of Hawai'i does not request a hearing on this Motion and

requests it be granted.

DATED: Hilo, Hawai'i

APR 07 2009

A handwritten signature in black ink, appearing to read "Michael J. Udovic", written over a horizontal line.

MICHAEL J. UDOVIC

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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Tariffs.)	
_____)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing document was served upon the
following by mailing the same, postage prepaid, on April 7, 2009:

CATHERINE P. AWAKUNI EXECUTIVE DIRECTOR DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS DIVISION OF CONSUMER ADVOCACY P. O. Box 541 Honolulu, HI 96809	2 Copies
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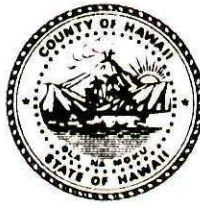
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DATED: Hilo, Hawai'i APR 07 2009



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Lincoln S.T. Ashida
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Katherine A. Garson
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TRANSMITTAL LETTER

DATE: April 7, 2009

TO: PUBLIC UTILITIES COMMISSION
465 S. King Street, #103
Honolulu, HI 96813

FROM: Stacie Waltjen, Legal Clerk to 
Michael J. Udovic, Deputy Corporation Counsel

RE: *Docket No. 2008-0273 – Instituting a Proceeding to Investigate
the Implementation of Feed-In Tariffs*

FILED
2009 APR - 8 P 1:1
PUBLIC UTILITIES
COMMISSION

ITEMS	DATE	DESCRIPTION
Original & 10 copies	04/07/09	County of Hawai'i's Motion for Approval to Amend Its Status as an Intervenor to a Participant; Declaration of Michael J. Udovic and Certificate of Service

TRANSMITTED FOR:

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| <input type="checkbox"/> Your signature and forwarding as noted below | <input checked="" type="checkbox"/> See remarks below |
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Envelope enclosed. |

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Enclosures